IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 16313 of 2004**

Between:
Smt.M.Umadevi, W/o B.Palakondaiah,
Machupalle, Sidhout Mandal, Kadapa District

.....
PETITIONER

**AND**

1 The Joint Collector, Kadapa, Kadapa District
2 The Revenue Divisional Officer, Rajampet, Kadapa District
3 The Mandal Revenue Officer, Sidhout mandal, Kadapa District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in suspending the authorization of the petitioner as a Fair Price Shop dealer by its proceedings Ref.D/882/2004, dated 21-08-2004 as illegal, arbitrary, unjust and without jurisdiction and consequently direct the respondents to continue the supplies to the petitioner's shop.

**Counsel for the Petitioner: MR.D.KODANDARAMI REDDY**

**Counsel for the Respondents: GP FOR CIVIL SUPPLIES**

The Court at the admission stage made the following:

**ORDER:**

Petitioner is an authorised dealer in respect of the Fair Price Shop of Machupalle, Sidhout Mandal, Kadapa District. Her authorisation was suspended by the Revenue Divisional Officer, Rajampet, Kadapa District, by proceedings dated 21.08.2004, pending enquiry into the alleged irregularities in distribution of essential commodities, which is under challenge in this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies appearing for the respondents.

Against the order impugned an alternative remedy is available under the statute by way of appeal to the Joint Collector. Admittedly, the petitioner has availed the said remedy and the appeal is pending before the first respondent.

In the circumstances, though the learned counsel for the petitioner raised various grounds assailing the correctness of the impugned order of suspension, I am not inclined to express any opinion on merits. However, keeping in view the plea of the petitioner that the first respondent has failed to consider her appeal and no

orders have been passed even on her application for stay so far, I deem it appropriate to dispose of the writ petition with a direction to the first respondent to dispose of the application for stay in the appeal filed by the petitioner against the order of the second respondent dated 21.08.2004 as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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13.09.2004

VGB

**To**

1 The Joint Collector, Kadapa, Kadapa District
2 The Revenue Divisional Officer, Rajampet, Kadapa District
3 The Mandal Revenue Officer, Sidhout mandal, Kadapa District
4 2CCs to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT)
5 2CD copies